

SCHEPER KIM & HARRIS LLP
DAVID C. SCHEPER (State Bar No. 120174)
dscheper@scheperkim.com
JEAN M. NELSON (State Bar No. 150856)
jnelson@scheperkim.com
GREGORY A. ELLIS (State Bar No. 204478)
gellis@scheperkim.com
ALEXANDER H. COTE (State Bar No. 211558)
acote@scheperkim.com
601 West Fifth Street, 12th Floor
Los Angeles, CA 90071-2025
Telephone: (213) 613-4655
Facsimile: (213) 613-4656

Attorneys for Plaintiff
CELLCO PARTNERSHIP d/b/a Verizon
Wireless

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CELLCO PARTNERSHIP d/b/a
VERIZON WIRELESS,

Plaintiff,

v.

TORO RIDE, INC.; KAREN KEVIN
GALSTIAN and DOES 1-10,

Defendants.

CASE NO. 2:15-cv-01187-DSF-PLA

**EX PARTE APPLICATION FOR
TEMPORARY RESTRAINING
ORDER**

[Filed concurrently with (1) *Ex Parte* Application for Right to Attach Order and Order for Issuance of Writ of Attachment, for Leave to Conduct Limited Expedited Discovery; (2) Omnibus Memorandum of Points and Authorities in Support of *Ex Parte* Applications for TRO, Right to Attach Order, and Leave to Conduct Limited Expedited Discovery; (3) Declaration of Tamara Flowers in Support Thereof; (4) Declaration of Ashley Stanton in Support Thereof; (5) Declaration of Cynthia Bell in Support Thereof; (6) Declaration of Alexander Cote in Support Thereof; and (7) Application for Right to Attach Order and Temporary Protective Order and Attachments]

EX PARTE APPLICATION

Plaintiff Cellco Partnership d/b/a Verizon Wireless (“Verizon Wireless”), hereby applies *ex parte* pursuant to Federal Rule of Civil Procedure 65, for a temporary restraining order and an order to show cause why a preliminary injunction should not issue enjoining defendant Toro Ride, Inc. from selling, transferring or otherwise disposing of tens of thousands of iPhones acquired by Toro Ride from Verizon Wireless in violation of the parties’ written contract.

Pursuant to Local Rule 7-19.2, Verizon Wireless seeks the foregoing relief without providing notice to Toro Ride for the reasons stated in Section VII accompanying Memorandum of Points and Authorities.

This application is based on the attached memorandum of points and authorities, the Omnibus Memorandum of Points and Authorities in Support of *Ex Parte* Applications for TRO, Right to Attach Order, and Leave to Conduct Limited Expedited Discovery; Declaration of Tamara Flowers in support thereof; Declaration of Ashley Stanton in support thereof; Declaration of Cynthia Bell in support thereof; Declaration of Alexander Cote in support thereto; and the complaint and other documents filed in this matter and such other evidence and argument which may be considered by the Court.

DATED: February 19, 2015 SCHEPER KIM & HARRIS LLP
ALEXANDER H. COTE

By: /s/ Alexander H. Cote
Alexander H. Cote
Attorneys for Plaintiff
CELLCO PARTNERSHIP d/b/a
VERIZON WIRELESS